

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NICOLE SMALL,)	CASE NO. 1: 17 CV 1184
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING</u>
)	<u>MAGISTRATE'S REPORT AND</u>
)	<u>RECOMMENDATION</u>
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge James R. Knepp, II. The Report and Recommendation (ECF # 15), issued on June 8, 2018, is hereby ADOPTED by this Court, without objection.

Plaintiff sought review of the Commissioner's denial of her request for disability insurance benefits and supplemental security income. The administrative law judge ("ALJ") determined that Ms. Small's conditions did not meet the requirements of Listing 12.05(C), and the Commissioner found no disability. Ms. Small argues that this decision was not based on substantial evidence, and that her treating psychiatrist's opinion was not given proper weight. The Magistrate Judge found that the finding of no disability was supported by substantial

evidence and that the ALJ properly explained and supported the decision to afford Ms. Small's treating psychiatrist's opinion on IQ "little weight." The Magistrate also found that the ALJ provided the required "good reasons," supported by substantial evidence for the weight given to the opinions of her other treating physicians, and that the opinions of the consultative examiners were properly evaluated.

Based on a full review of the arguments presented, the applicable law, and the record before the Court, Magistrate Knepp's report recommends that the Court find that the Commissioner's decision denying disability insurance benefits and supplemental security income is supported by substantial evidence, and should be affirmed. No timely objections to the report have been filed. The Court has reviewed *de novo* the Report and Recommendation, *see Ohio Citizen Action v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999), and ADOPTS the Magistrate Judge's Report and Recommendation in its entirety. The Commissioner's decision denying Ms. Small's disability insurance and supplemental security income is AFFIRMED. IT IS SO ORDERED.

DATED: July 2, 2018


DONALD C. NUGENT
United States District Judge